

United States District Court

for the

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Eastern District of Washington

MAY 14 2013

SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: James V. Leuschel

Case Number: 2:09CR00138-001

Address of Offender: [REDACTED] Spokane, Valley, WA 99206

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 7/20/2010

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 30 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Pamela J. Byerly Date Supervision Commenced: 5/16/2012

Defense Attorney: Roger Peven Date Supervision Expires: 5/15/2015

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

1

Mandatory Condition # 4: The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Special Condition # 18: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: James Leuschel submitted urine specimens that tested positive for methamphetamine on May 2 and May 9, 2013. Further he admitted ongoing use of methamphetamine to his probation officer and substance abuse counselor.

2

Standard Condition # 2: The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

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Supporting Evidence: James Leuschel has failed to submit his monthly supervision report for the month of April 2013, that was due on or before May 5, 2013.

3 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: On May 10 and May 13, 2013, James Lueschel was directed to contact his probation officer. Further on May 10, 2013, Mr. Leuschel was directed to report to Sun Ray Court inpatient treatment facility by 4 pm. Mr. Leuschel failed to report to Sun Ray Court as directed, and has failed to return phone calls to the undersigned officer.

4 **Special Condition # 17:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: James Leuschel failed to attend substance abuse counseling as scheduled at ADEPT outpatient treatment facility on May 2 and May 13, 2013. Further he failed to report to inpatient treatment at Sun Ray Court as directed on May 10, 2013.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

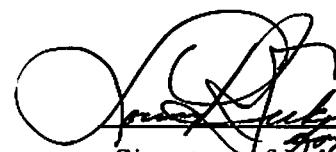
Executed on: 05/14/2013

s/Richard Law

Richard Law
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other


 Signature of Judicial Officer *Richard Law*
5/14/13
 Date